



**DEPARTMENT OF PESTICIDE REGULATION  
PESTICIDE REGISTRATION AND EVALUATION COMMITTEE  
Meeting Minutes – September 19, 2008**

Committee Members/Alternates in Attendance:

Syed Ali, State Water Resources Control Board (SWRCB)  
Lynn Baker, Air Resources Board (ARB)  
Rick Landan, California Agriculture Commissioners and Sealers Association  
Stella McMullin, Department of Fish and Game (DFG)  
Ann Prichard, Department of Pesticide Regulation (DPR)  
Rebecca Sisco, University of California, IR-4 Program  
Patti L. TenBrook, U.S. Environmental Protection Agency, Reg. 9 (U.S. EPA)  
Barbara Todd, Department of Food and Agriculture (CDFA)  
David Ting, Office of Environmental Health Hazard Assessment (OEHHA)  
Barry Wilson, University of California Department of Environmental Toxicology

Visitors in Attendance:

Adam Ballard, Central Valley Regional Water Quality Control Board  
Fred Bundock, DPR  
Nasser Dean, Western Plant Health Association  
Susan Edmiston, DPR  
George Farnsworth, DPR  
Roberta Firored, California Rice Commission  
Billy Gaither, Jr, Pest Control Operators of California  
Amy Her, DPR  
Eileen Mahoney, DPR  
Donna Marciano, DPR  
Jeanne Martin, DPR  
Eric Paulsen, Clark Pest Control  
Clifford Peterson, DPR  
Renee Pinel, Western Plant Health Association  
Diane Riddel, State Water Resources Control Board / Department of Water Resources  
Regina Sarracino, DPR  
Denise Webster, DPR  
Jim Wells, Environmental Solutions Group, LLC

1. Introductions and Committee Business – Ann Prichard, Chairperson, DPR
  - a. About 18 people attended the meeting.
  - b. No corrections to the minutes of the previous meeting held on July 18, 2008, were identified.



2. Pesticide Illness Surveillance Program - George Farnsworth, Worker Health and Safety Branch (WHS)

George Farnsworth, Environmental Program Manager I, with WHS, provided an overview of the Department of Pesticide Regulation's (DPR's) plan to respond to, track and compile reports of health concerns that are associated with the use of pesticides in the CDFA's invasive pest and eradication programs activities. Although this effort was initiated to specifically respond to light brown apple moth (LBAM) related concerns, it is now being expanded to address all invasive pest and eradication programs. A three-way contract between DPR, OEHHA and the California Poison Control System (CPCS) is at the core of this plan. Persons with health related concerns will be referred to CPCS; staff there will encourage callers to seek medical care if appropriate. For all calls associated with invasive pest and eradication programs, CPCS will capture and record caller address and contact information which will be forwarded to WHS. WHS staff will catalogue the information, enter it into a database and then forwarded it to OEHHA and the Department of Public Health for additional follow up if warranted.

3. Pesticide Recycling Program and Recertification (SB 1723) – Clifford Peterson, Product Compliance Branch (PCB)

Senate Bill 1723 provides DPR with the authority to require every person who first sells an agricultural or structural use pesticide product into California, that is packaged in high-density polyethylene (HDPE) containers, to participate in a HDPE recycling program. Sellers will be required to establish a recycling program for HDPE containers, or demonstrate participation in an existing HDPE recycling program.

The bill requires the following:

- All first sellers of pesticides packaged in HDPE containers of 55 gallons or less and labeled for agricultural or structural use, must participate in a HDPE recycling program.
- Container recycling must comply with the American National Standard Institute (ANSI) American Society of Agriculture and Biological Engineers (ASABE) Standard S596, entitled Recycling Plastic Containers from Pesticides and Pesticide-Related Products, as published in February 2006. ASABE Standard S596 requires information such as identification where the containers were collected and what products are manufactured from the reclaimed plastic. These data are generated and maintained by ANSI/ASABE certified recycling contractors.
- The recycling program must be certified by an ANSI-accredited third-party organization as being in compliance with the ANSI/ASABE Standard S596. The records required by these standards shall be maintained for three years and shall be subject to audit by DPR.

- Any person who is required to establish or participate in a recycling program pursuant to this section shall provide to DPR, at least annually, a document certifying that this requirement has been met.
- DPR may adopt regulations to carry out the purposes of this legislation. Regulations will clarify what documentation is required to be submitted to DPR to demonstrate participation in a recycling program.
- DPR's regulatory standards are to be at least as stringent as the Standard S596.
- Commencing September 1, 2010, DPR is to estimate a recycling rate for pesticide containers and propose suggestions for program improvements and post this information annually on its Internet Web site.

DPR's PCB has been designated the lead unit to implement the bill. SB 1723 grants DPR the authority to perform the following tasks to implement and enforce the provisions of the bill:

Draft Regulations:

- DPR would most likely adopt standards that mirrored the ANSI/ASABE rather than developing new standards. Rulemaking will commence once the Governor signs the bill. The bill becomes effective January 1, 2008.
- Regulations will be needed to clarify what documentation is required to certify that a first seller is participating in a recycling program.

Collect and File Recycling Certifications:

- There are approximately 1900 first sellers of pesticides in California: 1400 registrants, 400 dealers, and 100 brokers. However, the number of participating registrants is likely to be less than this, as not all sell agricultural or structural use pesticides. Nevertheless, DPR will notify all 1900 first sellers of the requirement to provide certification regarding the recycling requirements. Distribution of this information will be coupled with the annual registration and licensing renewals for the 2010 licensing cycle.
- The certification documents will be collected and maintained by DPR's PCB.

Provide Enforcement and Auditing:

To ensure pesticide sellers are in compliance with the proposed recycling requirements pursuant to this legislation, DPR anticipates the following workload:

- Review the annual certification documents submitted by all first sellers and verify for those not received that the recycling requirement does not apply (i.e., review company product labels for agricultural or structural uses).

- During the course of routine audits, staff would verify compliance by auditing company product sales and reviewing product labels for agricultural or structural uses, then confirm whether or not certification documentation is required and has been submitted.
- Documentation of noncompliance would only be obtained via review and audit of first seller's product line.

Estimate Rate of Recycling and Posting to DPR Internet Web site:

- SB 1723 requires DPR to estimate the recycling rate. DPR would determine this from information collected by ACRC and their ANSI/ASABE certified contractors performing the recycling.
  - Participants in the current voluntary recycling program administered by ACRC provide annual estimates of the total pounds of HDPE they sell. From this, ACRC works with their ANSI/ASABE certified contractors to develop a "cost for recycling," which is then charged back to the registrant. ACRC produces annual reports summarizing their efforts and this information will be available to DPR.
  - DPR will summarize this information and post it to the Internet Web site.
  - DPR will work with California Integrated Waste Management Board staff to propose suggestions for recycling improvements.
4. Revised Healthy Schools Act and New Child Care IPM Program – Belinda Messenger, Pest Management and Licensing Branch

Postponed until the next meeting on November 21, 2008.

5. Bay Delta Strategic Plan – Diane Riddle, State Water Resources Control Board

In response to mounting concerns related to beneficial uses of the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta), the State Water Resources Control Board and the San Francisco Bay and Central Valley Regional Water Quality Control Boards (Water Boards) developed a coordinated strategic work plan that identifies the high priority water quality and water right activities the Water Boards will pursue over the next five years to address impacts to beneficial uses in the Bay-Delta. The work plan also addresses specific issues identified by the Governor. The work plan is divided into nine broad elements including:

- (a). Water Quality and Contaminant Control
  - Develop and Implement Total Maximum Daily Loads (TMDLs)
  - Develop and Implement Drinking Water Policy for the Central Valley
  - Address Impacts of Once-through Cooling Power Plants
  - Develop Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries
  - Invasive Species Management
  - Monitor and Control Factors that Lead to Blue Green Algae (BGA) Growth
  - Characterize Discharges from Delta Islands
  - Evaluate Effects of Ambient Ammonia Concentrations on Delta Smelt Survival and Algal Primary Production and Control those Effects as Necessary
  - Conduct a Selenium Screening Study for the Delta
  - Coordinate with the Department of Pesticide Regulation (DPR) and Delta County Agricultural Commissioners on In-Delta Pesticide Use
- (b). Comprehensive Monitoring Program
- (c). Southern Delta Salinity and San Joaquin River Flow Objectives
- (d). Suisun Marsh Management, Preservation, and Restoration
- (e). Comprehensive Review of the Bay-Delta Plan, Water Rights, and Other Requirements to Protect Fish and Wildlife Beneficial Uses and the Public Trust
- (f). Activities to Ensure that the State Water Project's (SWP) and Central Valley Project's (CVP) Methods of Diversion in the Delta are Reasonable, Beneficial, and Protect the Public Trust
- (g). Water Right Compliance, Enforcement, and Other Activities to Ensure Adequate Flows to Meet Water Quality Objectives
- (h). Water Use Efficiency
- (i). Other Activities

Regarding coordination with DPR and the Delta County Agricultural Commissioners, the original thought was that there may be need to replicate the memorandum of understanding that the Central Valley Regional Water Board currently has with Glenn and Butte Counties to increase inspections and enforcement of pesticide use restrictions in Delta counties. In coordinating with DPR the past several months, Water Board staff has come to the conclusion that we need to gather more information. Staff plan to continue coordinating with DPR and use our limited resources to establish closer relationships with in-Delta agricultural commissioners so they understand the water quality issues in the Delta and the work that the Water Boards are doing to address those issues.

6. Agenda items for next meeting - Ann Prichard, DPR

- (1). Chris Beegan, staff of the State Water Board's Division of Water Quality could talk about "Phase II SQOs" as implemented in the Waterboards "Strategic Plan" completed in September 2008. Mr. Beegan is available to present his SQO proposal at the

November Pesticide Registration Evaluation Committee (PREC). This Strategic Plan was discussed in Diane Riddel's presentation at the 9/19/08 PREC meeting.

- (2). The committee would like to hear more about CDFA's control program for control of Asian Citrus Psyllid. They are aware of two products being used, Merit as a soil drench and an organic compound.
- (3). The committee would like to hear from Don Weston to present his information on the Pyrethroid source work.
- (4). The committee would like to hear a presentation on colony collapse disorder in beehives and the current status of the science regarding the implication of pesticides being a contributor.
- (5). Not specifically requested but another item for an agenda topic is a follow-up to the findings Stella referred to in the resident goose deaths possibly being tied to the anticoagulant chlorophacinone.

The next meeting will be held on Friday, November 21, 2008, in the Sierra Room on the second floor of the Cal/EPA building, located at 1001 I Street, Sacramento, California.

7. Adjourn.